



Express Mail No.: EV 673965719 US

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IN THE UNITED STATES PATENT  
AND TRADEMARK OFFICE

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Application Number: 10/524,793  
371(c) Date: October 20, 2005  
Applicants: Kenneth M. Evans  
Title: High Resolution Flow Cytometer  
TC/A.U: ~~1743~~ 1797  
Examiner: ~~Maureen Wallenhorst~~ Rebecca Fritchman  
Attorney Docket: XY-Hypodermic-USNP  
Customer No. 33549

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LETTER OF TRANSMITTAL

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Enclosed with this correspondence are the following documents:

1. Information Disclosure Statement pursuant to 37 CFR §1.97(b)(3) and a copy of each item listed under "Other References";
2. This Letter of Transmittal; and
3. A Certificate of Express Mailing for each document and a return receipt post card.

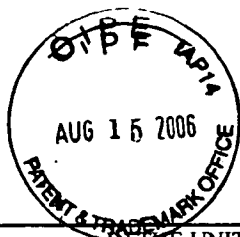
I have this 15<sup>th</sup> day of August, 2006, either myself personally or through my direction of staff at this office, deposited all of the items in the above letter of transmittal with the United States Postal Service as Express Mail, postage prepaid, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

Please confirm receipt of the documents by applying your date stamp on the enclosed postcard and returning it to me.

Dated this 15<sup>th</sup> day of August, 2006.

Respectfully Submitted,  
SANTANGELO LAW OFFICES, P.C.

By: Nicole A. Rensue  
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<b>IN THE UNITED STATES</b> <b>PATENT AND TRADEMARK OFFICE</b>  <b>INFORMATION DISCLOSURE</b> <b>STATEMENT BY APPLICANT</b>	<b>APPLICATION NO:</b>	10/524,793
	<b>FILING DATE:</b>	10/20/2005
	<b>FIRST NAMED</b>	Kenneth M. Evans
	<b>ART UNIT:</b>	1743
	<b>EXAMINER NAME:</b>	Maureen Wallenhorst Rebecca Fritchman
	<b>DOCKET NO:</b>	XY-Hypodermic-USNP

**I. US PATENT DOCUMENTS**

EXAMINER INITIAL	DOCUMENT NO. & KIND CODE (if known)	PATENTEE OR APPLICANT	PUBLICATION/ISSUE DATE mm/dd/yyyy	Pages, Columns, Lines Where Relevant Passages Or Relevant Drawings Appear

**II. FOREIGN PATENT DOCUMENTS**

EXAMINER INITIAL	Foreign Patent Document Country Code, Number, Kind Code (if known)	PATENTEE OR APPLICANT NAME	PUB'N DATE mm- dd-yyyy	TRANSLATION	
				Yes	No

### III. OTHER REFERENCES

EXAMINER INITIAL	Document
/R.F./	Johnson, L.A., et al, 1996 Gender preselection in mammals. XX Beltsville Symposium in Agricultural Research Technolgy's Role in the Genetic Improvement of Farm Animals. pp. 151-164, Amer. Soc. Anim. Sci. IL, USA.
↓	Smorag, Z., et al., Cattle Sex Regulation by Separation of X and Y Spermatozoa – Preliminary Results of Field Experiment in Poland, Reproduction, Fertility and Development 17(2) 306–306; 01/01/2005
	Crichton, E., et al. (Abstract) Artificial Insemination of Lactating Holstein Cows with Sexed Sperm, Reproduction, Fertility and Development 18(2) 281 - 281, 12/14/2005
	Lindsey, A.C., et al. Hysteroscopic insemination of low numbers of flow sorted fresh and frozen/thawed stallion spermatozoa, Equine Vet J. 2002 Mar;34(2):106-7.
	Drobnis, E. Z, Cold shock damage is due to lipid phase transitions in cell membranes : a demonstration using sperm as a model, Journal of experimental zoology (J. exp. zool.) 1993, vol. 265, no4, pp. 432-437 (22 ref.)
	Hagele, W.C., et al., Effect of Separating Bull Semen into X and Y Chromosome-bearing Fractions on the Sex Ratio of Resulting Embryos; Cran J. Comp. Med, 1984: 48:294-298
	US Patent Application Number 11/422,735 filed 05/25/2006 entitled Apparatus, Methods and Processes for Sorting Particles and for Providing Sex-Sorted Animal Sperm
↓	Suh, T.K, et al., Pressure during flow sorting of bull sperm affects post-thaw motility characteristics; Theriogenology Vol. 59, No. 1, January 2003 p 516
EXAMINER:	DATE CONSIDERED
/Rebecca Fritchman/	10/07/2008
EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.	

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Customer No. 33549


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**CERTIFICATE OF EXPRESS MAILING**

I, Cheryl A. Swanson, hereby certify to the truth of the following items:

1. I am an employee of Santangelo Law Offices, P.C., 125 South Howes, Third Floor, Fort Collins, Colorado 80521.
2. I have this day deposited the attached Information Disclosure Statement Pursuant to 37 CFR §1.97(b)(3) and a copy of each listed under "Other References"; Letter of Transmittal; and return post card with the United States Postal Service as Express Mail, postage prepaid, for mailing to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

Dated this <sup>th</sup>15 day of August, 2006.

  
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Cheryl A. Swanson